

DIVISION 8. PRESIDENT CLINTON AVENUE DESIGN OVERLAY  
DISTRICT—~~RIVER MARKET DESIGN GUIDELINES\*~~

**\*Editor's note:** Ord. No. 18.961, §§ 1, 2, amended div. 8 in its entirety to read as herein set out. The former div. 8, titled Design guidelines, derived from Ord. No. 17,240, § 1, adopted July 9, 1996; and Ord. No. 17,702, §§ 1--4, adopted April 7, 1998.

Sec. 36-350. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ADAAG means the Americans With Disabilities Act Accessibility Guidelines, 36 CFR § 1191.1 App. A, and any amendments thereto.

Character Defining Buildings means a building that was built before 1940 and defines the character of the warehouse district and business activities that were present in the President Clinton Avenue District before 1995 and new public buildings. Those buildings are listed as:

Concordia Hall, 409-411 President Clinton Ave, built c 1882 (add height to all?)

Wm. Branch Produce Co. Building, 318 President Clinton Ave, built c 1880-85

Building at 301-307 President Clinton Ave, Built 1885

Lasker Bros. Building, 320-324 President Clinton Ave, built c 1886

Building, at 309-311 President Clinton Ave, built c 1890

Dickenson Hardware Company, 418-420 President Clinton Ave, built c 1893

C.E. Rosenbaum Building, 317 President Clinton Ave, built c 1905

Thomas Cox & Sons Warehouse, 112-120 Commerce Street, built c 1906

Voss Barbee Building, 620-622 President Clinton Ave, built c 1910 (western section only)

Geyer and Adams Building, 405 President Clinton Ave, built c 1914

Fones Bros. Hardware Co. 324 E 2nd Street built c 1920

Terminal Warehouse Building, 500-522 President Clinton Ave, built c 1926 (western multi story section only)

Brandon Building, 608 President Clinton Ave, built c 1928

Building, at 507-511 President Clinton Ave, built c 1936

River Market Hall, 400 President Clinton Ave, built 1996

Arkansas Studies Institute, 401 President Clinton Ave, built 2009

*Design overlay district* or DOD as referred to in this section means the ~~River Market~~ President Clinton Avenue district.

*DRC* means the design review committee established pursuant to this section.

*River Market President Clinton Avenue Overlay* district is also referred to as the "district" and is depicted on exhibit "A" attached to Ordinance No. 18,961. Exhibit "A" is not set out herein, but is on file and available for inspection in the office of the city clerk.

*Projecting sign* is defined in Section 36-530 of this chapter.

*Significant architectural detail or feature* means an architectural element that contributes to the overall style, design or facade of a building. The detail may include architectural elements or materials, including, but not limited to, an arch,

1 bracket, brickwork, capital of a column, corbelling, cornice, dentil, door, eave,  
2 fascia, gable, hood mold, latticework, parapet, pressed tin, sash, sidelight,  
3 shingles, transom, trim and window.

4 (Ord. No. 18,961, §§ 1, 2, 10-21-03)

5  
6 Sec. 36-351. ~~River Market~~ President Clinton Avenue design overlay.

7 (a) *Purpose and intent.* The purpose of establishing the ~~River Market~~  
8 President Clinton Avenue district (referred to herein as the “district”) is to create a  
9 quality mixture of commercial, office and residential uses that also have a festive  
10 and pedestrian orientation. Once established, the district will become a viable  
11 location for business, cultural, residential and entertainment activities. Buildings,  
12 signs, street furnishings and landscaping should all be designed to complement  
13 and encourage pedestrian use during the day and at night. Careful planning is  
14 necessary to ensure the proper placement of such items to avoid visual clutter.

15 Visual clutter is not a major problem in the district at present, but good planning  
16 anticipates and prepares for future problems, especially in consideration of  
17 positive economic development. Guidelines and strategies must be in place to  
18 protect the district from the negative impact of poorly planned or incompatible  
19 projects. Incompatible development has the potential to destroy the attributes  
20 that will attract people to the district. Programs and policies will be enacted to  
21 maintain and enhance the visual quality of the district. Physical design elements  
22 of the district shall be controlled and reviewed by a design review committee to  
23 ensure appropriate design and compatible development.

24 (b) *District boundaries.* The district encompasses all parcels in Block 1,  
25 Block 2, Block 3, Block 6, Block 7 and Block 8 of Pope’s Addition; and Block 35  
26 and Block 36 of original city. The district is further identified on the map attached  
27 as exhibit “A”. To the extent required by law, the city zoning map shall be  
28 amended to graphically display the district.

29 (Ord. No. 18,961, §§ 1, 2, 10-21-03)

30  
31 Sec. 36-352. Application of district regulations.

32 (a) The regulations of this chapter shall be in addition to and shall overlay all  
33 other zoning districts and other requirements regulating the development of land  
34 so that any parcel of land lying in the overlay district shall also lie within one or  
35 more of the other underlying zoning districts. Therefore, all property within this  
36 overlay district shall have requirements of both the underlying and overlay zoning  
37 districts in addition to any other provisions regulating the development of land. In  
38 case of conflicting standards between this division and other city ordinances, the  
39 overlay requirements shall control.

40 (b) These regulations shall apply to new development and redevelopment or  
41 expansion of existing development. The design guidelines shall be implemented  
42 when a permit is requested for exterior improvements on buildings or in the  
43 public right-of-way. This section also applies when any exterior improvement is  
44 undertaken which may not require a permit, but affects the exterior visible  
45 elements of the structure such as repainting in a manner that significantly  
46 changes the color of the facade as determined by the DRC. Routine repairs,

1 maintenance and interior alterations shall not require compliance with this  
2 section.

3 (c) Uses, structures or lots which existed on the effective date of this  
4 ordinance which do not conform to the standards and guidelines established in  
5 this ordinance, shall be treated as nonconforming according to the provisions of  
6 article III of this chapter. Nonconforming status shall not apply to construction of  
7 improvements in the public right-of-way required by the city, new and existing  
8 improvements requiring franchise permits, and new development, redevelopment  
9 or expansion of existing development.

10 (d) Franchises shall be required for all structures located in the public right-  
11 of-way. Franchise permits shall be issued for a period of not more than two (2)  
12 years. All franchisees are required to renew their franchise permits upon the  
13 anniversary of the original permit. Franchise permits that were valid on the  
14 effective date of this article will terminate on the two-year anniversary of the  
15 effective date of this ordinance. Notwithstanding any other provision for the  
16 application and issuance of permits, owners of all existing franchises shall obtain  
17 a new franchise within sixty (60) days after notice from the city. The franchisee  
18 shall submit to the city any changes in the information contained in the original  
19 franchise. Any franchise not permitted by the due date shall be classified as  
20 abandoned. Any encroachment within the abandoned franchise is deemed to be  
21 illegal and shall be removed by the franchisee at his expense. The River Market  
22 President Clinton Avenue design review committee shall review and provide  
23 recommendations on all franchise renewals pursuant to the provisions of section  
24 36-367 of this chapter.

25 (Ord. No. 18,961, §§ 1, 2, 10-21-03)

26  
27 Sec. 36-353. Signs.

28 (a) *Signs in general.*

29 (1) *Location.*

- 30 a. Signs shall not hide significant architectural detail or features of a building.  
31 b. Signs shall not visually clutter nor interfere with views of the building.  
32 c. Wall signs shall be confined to the flat surface of the building and shall not  
33 project more than five (5) inches from the building facade.  
34 d. Signs shall not be painted directly on the face of a building.  
35 e. Awning valences are appropriate locations for signage.  
36 f. Freestanding signage is prohibited.  
37 g. Signs shall be adequately spaced from other signs.  
38 h. All signs must face public street right-of-way except those permitted on  
39 facades facing the Arkansas River.

40 (2) *Appearance.*

- 41 a. Signs shall be compatible with the architecture of the building on which it is  
42 located.  
43 b. Design of signs shall capitalize on the special character of the District.  
44 c. Window signs shall not cover more than twenty-five (25) percent of each  
45 glass panel.  
46 d. Awning signs shall not exceed ~~six (6)~~ twelve (12) square feet per awning.

- e. Neon illumination is permitted.
- f. Internally illuminated signs are prohibited.
- g. In accordance with federal law, businesses with registered trademarks are allowed to display the mark in signage which otherwise complies with City sign regulations.
- h. Advertising copy on signs is prohibited.
- i. Materials used in signs shall be sensitive to signs and architecture on adjacent sites.

~~j. Letters on signs shall not exceed one foot six inches (1' 6") in height.~~

~~k. Light-emitting diode (LED) signage is prohibited in the district.~~

(3) *Nonconforming signs.* Signs existing prior to July 9, 1996, (the first adoption of the ~~River Market~~ design overlay district) shall be considered nonconforming. Nonconforming signs shall be permitted to be renovated or maintained. No change shall be made to the shape or size of the signage without approval of the DRC.

(b) *Signs on public buildings.* Signs on public buildings shall conform to the standards outlined in this DOD with the exception of signs that have significant architectural detail, or signs that serve as an entrance to Riverfront Park and are otherwise consistent with the DOD standards. These exceptions may only be approved by the city board of directors.

(c) *Wall signs located on or facing public street rights of ways or private streets.*

(1) *Location.*

a. Except as permitted in subsection (b), the maximum sign height on a building shall not extend above the second floor windowsill or above the overhang of a single story building.

b. Signs shall not number more than three (3) per business.

(2) *Appearance.* Signs shall not exceed ~~one-quarter (1/4)~~ one half (1/2) of a square foot of sign area for each linear foot of primary street building frontage, not exceeding twenty-five (25) square feet per sign.

~~(3) *Lettering.*~~

~~a. Letters shall not exceed one and one-half (1 1/2) feet in height.~~

~~b. Letters shall not exceed three-quarters (3/4) of the height of the sign.~~

~~c. Lettering shall not exceed sixty (60) percent of the total area of a sign.~~

~~(4) *Sign illumination.* Light fixtures for signs shall not be readily visible from the street or sidewalk. Internally lit signs are prohibited. When signs are externally lit, they shall be illuminated from a concealed source of light or a decorative source that is integral to the design of the sign.~~

(d) *Signs on facades facing the Arkansas River.* The buildings having facades facing the river present a unique opportunity to create their own character on the facades that share views with the amphitheatre and the river. These facades shall compliment the festive atmosphere that has been established by the Riverfest Amphitheatre and the River Market.

(1) *Location.*

a. Building signs shall not extend above the overhang of the roof.

b. ~~Signs shall not cover more than ten (10) percent of the facade facing the river.~~

c. Signs shall not number more than three (3) per business.

(2) *Appearance.* ~~Signs shall not exceed one-quarter (1/4) of a square foot of sign area for each linear foot of primary street building frontage, not exceeding twenty-five (25) square feet per sign.~~ Signs shall not cover more than ten (10) percent of the facade facing the river.

~~(3) *Lettering.*~~

~~a. Letters shall not exceed one (1) foot six (6) inches in height.~~

~~b. Letters shall not exceed three-quarters (3/4) of the height of the sign.~~

~~c. Lettering shall not exceed sixty (60) percent of the total area of a sign.~~

(4) *Sign illumination.* ~~Light fixtures for signs shall not be readily visible from the street or sidewalk. Internally lit signs are prohibited. When signs are externally lit, they shall be illuminated from a concealed source of light or a decorative source that is integral to the design of the sign.~~

(e) *Projecting signs.*

(1) *Location.*

a. Projecting signs shall maintain a nine-foot clearance in all pedestrian walkways and a thirteen-foot clearance over vehicular use areas, i.e. alleys and driveways.

b. Height of projecting signs shall not extend past the sill of the second story windows.

c. Projecting signs shall extend a maximum of three (3) feet from the face of the building.

d. The number of projecting signs shall be limited to one sign per one hundred (100) feet of primary street frontage per building.

e. Projecting signs shall be placed at a ninety-degree angle to the building.

f. Signs shall be spaced so not to conflict or obscure other signage.

(2) *Appearance.*

a. Projecting signs shall have a maximum of ~~twelve (12)~~ twenty five (25) square feet of sign face per sign.

b. Thickness of projecting signs shall be limited to ~~five (5)~~ twelve (12) inches.

c. Signage colors, typeface, and style shall be compatible with the district.

~~(3) *Lettering.*~~

~~a. Letters shall not exceed one (1) foot six (6) inches in height.~~

~~b. Text shall not exceed three-quarters (3/4) of the height of the sign.~~

(4) *Sign illumination.*

a. Internally lit signs are prohibited. When projecting signs are externally lit, they shall be illuminated from a concealed source of light or a decorative source that is integral to the design of the sign.

b. Neon is permitted on projecting signs. No movement, flashing, or change of illumination level shall be permitted on signs. Each neon sign shall have a one-year maintenance review, by city staff, for functionality.

(f) *Sandwich board signs.*

(1) *Location.*



- 1 a. Sandwich board signs shall be located within the brick planting strip portion
- 2 of the sidewalk.
- 3 b. Signs shall not number more than one (1) per business.
- 4 (2) *Appearance.*
- 5 a. Signs shall be no larger than twenty-four (24) inches wide and thirty-six (36)
- 6 inches tall per face with a total height not to exceed thirty-six (36) inches.
- 7 b. Merchants shall limit the wording on the signage to effectively use the space.
- 8 c. Signs shall have a wooden frame that encases and supports the chalkboard
- 9 or dry erase board.
- 10 d. Signs shall be kept in a tidy and clean condition.
- 11 e. All changeable letters, tacking of flyers and poster boards on signs are
- 12 prohibited.
- 13 (3) Signs shall not be illuminated.
- 14 (4) A franchise permit and sign permit for a permanent type sign shall be
- 15 required for all sandwich board signs.
- 16 (Ord. No. 18,961, §§ 1, 2, 10-21-03)

17  
18 Sec. 36-354. Balconies.

19 Balconies over the public right of way shall have a minimum clearance of nine (9)

20 feet above the sidewalk. One (1) inch of projection is permitted for each

21 additional inch of clearance above eight (8) feet, provided that no such projection

22 shall exceed a distance of four (4) feet.

23 (Ord. No. 18,961, §§ 1, 2, 10-21-03)

24  
25 Sec. 36-355. Sidewalks.

26 (a) *Sidewalks and right-of-way improvements in general.* All repairs and new

27 construction shall match existing improvements in materials, construction

28 methods, shape, size, etc. Samples of material shall be provided to the DRC or

29 its representative to verify material match prior to installation.

30 (b) *Width and clearance.*

31 (1) Sidewalks shall consist of seven and one-half-foot concrete walk in addition

32 to a four-foot red brick paving planting strip.

33 (2) Sidewalks shall have a twelve-foot overall width from property line to curb

34 face.

35 (3) Sidewalks shall provide adequate clearance for ease of pedestrian traffic

36 and movement.

37 © *Materials.*

38 (1) The walks, curbs, gutters, and tree grate frames shall be concrete.

39 (2) The planting strip shall consist of red brick pavers.

40 (d) *Curb ramps.*

41 (1) Two (2) curb ramps shall be provided per corner or the entire corner may be

42 constructed as a ramp.

43 (2) Ramps shall have 1:10 side slopes.

44 (3) Ramps shall have 1:12 maximum slope.

45 (4) Ramps shall be five (5) feet in width with striations perpendicular to

46 pedestrian traffic movement.

- 1 (5) Slopes shall be congruent between ramps.
- 2 (6) There shall be a minimum five (5) feet landing at the top of all ramps.
- 3 (7) Curb ramps shall be coordinated with the crosswalk locations pursuant to
- 4 ADAAG 4.7.9.
- 5 (8) Curb ramps shall have a visual contrast of surfaces adjacent to traffic.
- 6 (e) *Curbs and gutters.*
- 7 (1) Curbs shall be six (6) inches in height.
- 8 (2) Gutters shall be eighteen (18) inches in width.
- 9 (f) *Tree-planting strip.*
- 10 (1) The tree-planting strip shall be a four-foot-wide red brick paving strip on two-
- 11 inch sand base and eighteen-inch topsoil backfill.
- 12 (2) The six-inch concrete tree gate frame shall be integrated with the top of the
- 13 curb.
- 14 (g) *Utilities.*
- 15 (1) All utilities shall be located under the street.
- 16 (2) All metal grates located in walking surfaces shall meet ADAAG 4.5.4
- 17 standards.
- 18 (Ord. No. 18,961, §§ 1, 2, 10-21-03)

~~Sec. 36-356. Building form.~~

~~(a) Materials.~~

~~(1) Historic materials or distinctive architectural features shall not be removed or hidden.~~

~~(2) The type of materials and their color, texture, scale and detailing shall be compatible with those of buildings on adjacent sites.~~

~~(3) Surface cleaning of historic structures shall be done with the gentlest possible method. Physical or chemical treatments, such as sandblasting or high pressure water cleaning, that cause damage to historic material shall be prohibited.~~

~~(b) Roof types. Building roofs shall relate to the overall size, shape, slope, color and texture of roofs of buildings within the district.~~

~~(c) Openings.~~

~~(1) Historical upper facade windows shall retain original dimensions and details.~~

~~(2) Historical storefront configuration shall not be altered.~~

~~(3) New construction shall have a pattern of windows and doors that resemble similar patterns on facades of adjacent buildings.~~

~~(4) Primary entrances shall be parallel with the street.~~

~~(d) Style and form.~~

~~(1) New construction shall not exceed four (4) stories in height or a total height of forty-eight (48) feet.~~

~~(2) Buildings shall maintain the distinction between upper and lower levels.~~

~~(3) Historical context of buildings shall be restored to original designs.~~

~~(e) Mass.~~

~~(1) New construction wider than the typical building width shall be visually massed to appear similar to buildings on adjacent sites.~~

~~(2) The primary facade of a building shall be oriented parallel with the street.~~

~~(f) *Projections.*—~~

~~(1) Objects shall not project from the building facade over the public right of way except for awnings, signs, and balconies.~~

~~(2) Awnings shall not project more than five (5) feet from the building facade and have a minimum clearance of nine (9) feet above the sidewalk.~~

~~(3) Balconies over the public right of way shall have a minimum clearance of nine (9) feet above the sidewalk. One (1) inch of projection is permitted for each additional inch of clearance above eight (8) feet, provided that no such projection shall exceed a distance of four (4) feet. Balconies shall not be supported with posts extending to the sidewalk. Mounting heights for balcony brackets shall conform to minimum clearance standards.~~

~~(g) *Setbacks.* Buildings shall have a zero-foot build to line along the public street right-of-ways.~~

~~(Ord. No. 18,961, §§ 1, 2, 10-21-03)~~

Sec. 36-356. Building form.

(a) Sites with Character Defining Buildings

New additions, exterior alterations or related new construction on Character Defining Buildings shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(1) *Materials.*

a. Historic materials or distinctive architectural features shall not be removed or hidden.

b. Surface cleaning of Character Defining Buildings shall be done with the gentlest possible method. Physical or chemical treatments, such as sandblasting or high pressure water cleaning, that cause damage to historic material shall be prohibited.

(2) *Openings.*

a. Historical upper facade windows shall retain original dimensions and details.

b. Historical storefront configuration shall not be altered.

(3) *Style and form.*

a. Buildings shall maintain the distinction between upper and lower levels.

b. Historical context of buildings shall be restored to original designs.

(4) The maximum height for new construction on lots occupied by Character Defining Buildings shall be the same as the height of the Character Defining Buildings that was located there in 1995.

(5) *Projections.*

a. Objects shall not project from the building facade over the public right of way except for awnings, signs, and cornices.

b. Awnings shall not project more than five (5) feet from the building facade and have a minimum clearance of nine (9) feet above the sidewalk.

(6) *Setbacks.* Buildings shall have a zero-foot build to line along the public street right-of-ways.



(2) Sites without Character Defining Buildings

New additions, exterior alterations or related new construction on sites without Character Defining Buildings shall be differentiated from the Character Defining Buildings and shall be compatible with the massing, size, scale, and environment of such.

(1) Materials.

a. The type of materials and their color, texture, scale and detailing shall be compatible with those of Character Defining Buildings. Materials used should be commercial in nature with an emphasis on quality construction materials.

(2) Roof types. Building roofs shall relate to the overall size, shape, slope, color and texture of roofs of buildings within the district.

(3) Openings.

a. New construction shall have openings, either windows and/or doors, on every upper floor.

b. The ground level (street fronting) floor shall have a minimum of sixty (60) percent transparent or window display.

c. Primary entrances shall be parallel with the street.

(4) Style and form.

a. Heights on new construction or additions to existing structures on sites not occupied by Character Defining Buildings shall be sixty (60) feet.

b. Buildings shall maintain the distinction between upper and lower levels.

(5) Mass.

a. New construction wider than the typical building width shall be visually massed to appear similar to buildings on adjacent sites.

b. The primary facade of a building shall be oriented parallel with the street.

(6) Projections.

a. Objects shall not project from the building facade over the public right of way except for awnings, signs, and balconies.

b. Awnings shall not project more than five (5) feet from the building facade and have a minimum clearance of nine (9) feet above the sidewalk.

c. Balconies over the public right of way shall have a minimum clearance of nine (9) feet above the sidewalk. One (1) inch of projection is permitted for each additional inch of clearance above eight (8) feet, provided that no such projection shall exceed a distance of four (4) feet. Balconies shall not be supported with posts extending to the sidewalk. Mounting heights for balcony brackets shall conform to minimum clearance standards.

(7) Setbacks. Buildings shall have a zero-foot build to line along the public street right-of-ways.

(Ord. No. 18,961, §§ 1, 2, 10-21-03)

Sec. 36-357. Awnings.

(a) Appearance.

(1) Colors should be compatible with others used in the ~~River Market~~ district.

(2) Awnings shall relate to the shape of the opening.

(3) Direct back illuminated awnings are prohibited.

(4) Awnings shall be composed of canvas, vinyl coated canvas, acrylic fabrics or other architectural materials compatible with the building and the district.

(5) Retractable canvas awnings are allowed and shall conform to other awning standards for appearance and location.

(b) *Location.*

(1) Awnings shall cover only the storefront display windows, balconies or transom above the main entrance. Upper facade details shall not be obscured.

(2) Awnings and support structures shall have a minimum clearance of nine (9) feet from the sidewalk.

(3) Awnings shall not project more than five (5) feet from the building facade.

(Ord. No. 18,961, §§ 1, 2, 10-21-03)

Sec. 36-358. Landscaping.

(a) *Plant materials.*

(1) All plant materials shall be as prescribed in this section or substitute materials of equal quality approved in advance by the DRC.

(2) President Clinton Avenue from Interstate 30 to Cumberland Street shall be Acer X Freemanii "Jeffersred," autumn blaze maple trees.

(3) Commerce Street from President Clinton Avenue to Second Street shall be Acer X Freemanii "Jeffersred," autumn blaze maple trees.

(4) Streets with north and south orientation between Interstate 30 and Cumberland Street and north of Second Street shall be Taxodium distichum; bald cypress trees.

(5) Second Street from Interstate 30 and Cumberland Street shall be ~~Fraxinus pennsylvanica "Marshall's Seedless;" Marshall's seedless green ash trees~~ Ginkgo biloba, Ginkgo.

(6) Plazas and open spaces shall be Ostrya virginiana; American hophornbeam trees and Gleditsia tricanthos var. inermis "Moraine;" moraine thornless honey locust trees.

(7) All planting of trees and planting adjacent to sidewalks shall meet ADAAG 4.4.2 standards.

(b) *Plant size.*

(1) Street trees shall be one and one-half-inch to two and one-half-inch caliper trees at planting.

(2) Plazas and open spaces shall be one and one-half-inch to two-inch caliper trees at planting.

© *Location and spacing.*

(1) Trees shall be thirty (30) feet on center and two (2) feet off back of curb.

(2) Trees placement shall allow for adequate site distance at intersections.

(d) *Irrigation systems.*

(1) Irrigation systems shall provide four (4) irrigation bubbler heads per tree well.

(2) All systems shall have backflow preventors.

(3) Automatic controllers shall be pole mounted.

(4) Valve-box covers shall have snaplocks and be located within the brick-planter strip.

(e) *Tree grates.*

(1) Tree grates shall be four (4) feet by four (4) feet cast iron with slot openings no more than one-quarter ( 1/4) inch. All replacement and new tree grates shall match existing grates in manufacturer and model number. Samples of materials shall be provided to the DRC or its representative to verify match prior to installation.

(2) Tree grates shall be set into concrete and angle iron curb collar, six (6) inches exposed at surface, minimum twelve-inch depth.

(f) *Subdrainage.*

(1) A gravel drain shall consist of a four (4) inch perforated pipe wrapped in washed, crushed gravel and geotextile running parallel with planting strip.

(2) A gravel drain shall be approximately four (4) feet below finished pavement elevation and connected to the storm drainage inlet.

(3) The bottom of the gravel drain shall be sloped for positive flow towards the four (4) inch perforated pipe.

(g) *Planting medium.*

(1) Topsoil backfill shall contain ten (10) percent organic material and be free of objectionable materials.

(2) The tree root ball shall be set in place on compacted SB-2 sub-base pedestal and covered with two (2) inches washed river gravel.

(Ord. No. 18,961, §§ 1, 2, 10-21-03)

Sec. 36-359. Streetlights and furnishings.

(a) *Lights.*

(1) Pedestrian posts and luminaries shall be Antique Lighting "Capitol" Series or preapproved substitute.

(2) Roadway intersection posts and luminaries shall be Antique Lighting "Capitol" Series or preapproved substitute.

(b) *Spacing and location.*

(1) Pedestrian posts and luminaries shall be located every third tree within a block.

(2) Roadway posts and luminaries shall be located fifteen (15) feet off right-of-way of perpendicular streets; one (1) per corner.

© *Furnishings.*

(1) Signage and street equipment shall be in the same design family as light posts and luminaries.

(2) Trash receptacles shall be manufactured by Canterbury International; Pennsylvania Avenue model or preapproved substitute.

(3) Benches shall be six (6) feet in length and located on the inside of roadway intersection posts and luminaries manufactured by Dumor Model #57 Bench or pre-approved substitute.

(4) Bus shelters and information kiosks shall be uniform in architectural style and character with streetscape equipment and building form.

(5) Newspaper stands shall be of the same style and size and be incorporated as an integral part of the street furnishings.

(Ord. No. 18,961, §§ 1, 2, 10-21-03)

1  
2 Sec. 36-360. Streets.

3 (a) *Crosswalks.*

4 (1) Crosswalks shall be constructed of red brick pavers bound by a one-foot-  
5 wide by two-foot-tall concrete band on both sides.

6 (2) The running bond brick pattern of the crosswalks shall run perpendicular to  
7 vehicle traffic.

8 (3) Brick pavers shall be eight thousand (8,000) p.s.i. to withstand vehicle  
9 loads.

10 (4) Curb ramps at marked crossings shall be wholly contained within the  
11 markings, excluding any flared sides, pursuant to ADAAG 4.7.9.

12 (5) All replacement and new crosswalks shall match existing crosswalks in  
13 construction manner and materials. Samples of materials shall be provided to  
14 the DRC or its representative to verify match prior to installation.

15 (Ord. No. 18,961, §§ 1, 2, 10-21-03)

16  
17 Sec. 36-361. Parking.

18 (a) *Location.*

19 (1) Parking lots shall not surround a building.

20 (2) Buildings shall not be removed to provide surface parking unless no other  
21 economically viable alternative is available.

22 (b) *Parking landscape.* Parking lots shall comply with the minimum  
23 requirements of the landscape ordinance. Landscaping beyond that which is  
24 required is encouraged.

25 © *Parking lot lighting and design.*

26 (1) Perimeter lighting on parking lots shall match the style used on the  
27 streetscape.

28 (2) Parking lot design shall be sensitive to the purposes and intent of the district.

29 (3) Buses shall be marshaled outside the district.

30 (4) Handicapped accessible parking shall be provided pursuant to ADAAG  
31 4.1.2(5)(a) and 4.6.3.

32 (5) Passenger loading zones shall be provided pursuant to ADAAG 4.6.6.

33 (6) Interior fixtures shall be mounted on poles with a maximum height of thirty  
34 (30) feet.

35 (7) Interior lighting levels shall be in the range of one (1) to three (3)  
36 footcandles.

37 (8) Interior lighting fixtures shall be of square shoebox type or preapproved  
38 substitute.

39 (9) Lamps shall be of the metal halide type.

40 (10) Interior lighting fixtures shall have sag-type lenses.

41 (11) Interior lighting poles shall be painted dark bronze.

42 (12) Interior lighting poles shall be a square straight steel pole GSP-30-BRP or  
43 preapproved substitute.

44 (13) Interior lighting pole arms shall be RTS30-6511-UMB-28 or preapproved  
45 substitute.

46 (d) *Parking requirements.*

(1) Parking requirements shall be as established in section 36-342.1., Urban use district.

(2) The DRC shall make a recommendation to the board of zoning adjustment on any request for variance from the off street-parking requirements of section 36342.1., Urban use district.

(Ord. No. 18,961, §§ 1, 2, 10-21-03)

#### Sec. 36-362. Curb cuts.

##### (a) *Location.*

(1) New curb cuts on President Clinton Avenue are prohibited.

(2) Existing curb cuts on President Clinton Avenue, Commerce, Sherman and Rock Streets shall be removed or minimized to reduce conflict with pedestrian traffic.

(b) *Number per block.* Curb cuts shall be minimized to allow for safe and efficient pedestrian movement throughout the ~~River Market~~ district.

(c) *Size.* Driveway width shall be twenty-two (22) feet provided that the DRC may adjust the width to correspond with a recommendation of the director of the public works department if such adjustment is consistent with the uses in the district.

(Ord. No. 18,961, §§ 1, 2, 10-21-03)

#### Sec. 36-363. Alleys.

##### *Use.*

(1) Alleys shall serve as alternative routes for pedestrians as well as efficient service access for vehicles.

(2) Alleys shall have adequate lighting for pedestrians.

(Ord. No. 18,961, §§ 1, 2, 10-21-03)

#### Sec. 36-364. Fences and walls.

##### *Design.*

(1) Chain link fences and razor or barbed wire are prohibited.

(2) Ornamental iron fences may be appropriate where compatible with the style of the building.

(Ord. No. 18,961, §§ 1, 2, 10-21-03)

#### Sec. 36-365. Views.

(a) *Corridors.* New construction shall be designed to preserve all view corridors including the President Clinton Avenue corridor and the Commerce Street corridor.

(b) *River.* Views of the river shall be protected from any obstructions or visual clutter.

(Ord. No. 18,961, §§ 1, 2, 10-21-03)

#### Sec. 36-366. Maintenance.



1 The city shall maintain all sidewalks, lights, landscaped planting areas, trees,  
2 grates, pavers, streets, curbs, gutters, irrigation systems, benches, trash  
3 receptacles, litter removal, street lighting and sidewalk lighting.  
4 (Ord. No. 18,961, §§ 1, 2, 10-21-03)

5  
6 Sec. 366.1 Exceptions:

7 Property that can not be developed for any reasons without violating the  
8 standards of this article and that creates new or additional space shall be  
9 reviewed through the planned zoning district (PZD) section of the zoning  
10 ordinance, with the intent to devise a workable development plan which is  
11 consistent with the purpose and intent of the overlay standards. All other  
12 requests for variances for the overlay standards shall go to the Board of  
13 Adjustment.

14  
15 Sec. 36-367. ~~River Market~~ President Clinton Avenue district design review  
16 committee.

17 (a) *Design review committee (DRC).* A DRC shall be appointed by the board of  
18 directors to protect the visual integrity of the district, consisting of five (5) persons  
19 as follows:

20 (1) Three (3) representatives from the district selected from a list recommended  
21 by property owners within the district. Representatives shall include a letter of  
22 recommendation from a property owner in the district.

23 (2) A design professional with experience in historic preservation such as an  
24 architect, engineer, planner or landscape architect.

25 (3) A representative from the ~~entity hired by the city to manage the River Market~~  
26 Downtown Partnership.

27 The appointments to the DRC shall be arranged so the term of at least one (1)  
28 member will expire each year, and their successors shall be appointed in a like  
29 manner for terms of three (3) years. Members who are appointed to fill  
30 vacancies for unexpired terms shall join the DRC at the next meeting following  
31 their appointment and confirmation.

32 (b) *[Vacancies.]* Vacancies to the committee shall be advertised in a  
33 newspaper.

34 *Submission of proposals.* The developer or designer of exterior improvements  
35 to a structure in the district shall meet with the DRC prior to request for a permit.  
36 No permit shall be issued unless the DRC has approved the proposal. The DRC  
37 will meet on call as projects are filed with the planning staff. A written record of  
38 the review and recommendation will be forwarded to the planning commission or  
39 board of zoning adjustment on proposals not meeting the design guidelines  
40 established by the DOD.

41 (d) *Authority of the DRC.* The DRC shall function with a primary goal of  
42 providing substance and governance to the DOD guidelines. This includes:

43 (1) Providing district businesses with guidance in adhering to the DOD  
44 guidelines.

45 (2) Provide recommendations on all building permits, signs, banners,  
46 franchises, zoning and subdivision applications within the district.

1 (3) Timely review and recommendations on all variance applications made by  
2 property owners within the district.

3 (4) Maintaining a comprehensive report of all variances permitted from the city  
4 zoning and planning ordinances and regulations within the district.

5 (5) Forwarding to the planning commission or board of zoning adjustment a  
6 review and recommendation of all proposals that do not meet the established  
7 guidelines as established by Sec. 366.1 of this chapter

8  
9 (Ord. No. 18,961, §§ 1, 2, 10-21-03  
10